



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

HETEROCYCLIC SUBSTITUTED 1,4-DIHYDRO-4-OXO-1,8-NAPHTHTHYRIDINE  
ANALOGS

the specification of which was filed on April 7, 2004 as Application No. 10/820,487.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no foreign applications have been filed

☐ foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

**CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS**

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☐ no U.S. provisional applications have been filed.

☒ U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
60/461,205	April 7, 2003	<u>  x  </u> Yes No ___
60/519,569	November 12, 2003	<u>  x  </u> Yes No ___
		___ Yes No ___

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☒ no U.S./PCT applications have been filed.

☐ U.S./PCT application have been filed as follows:

Application Number	Date of Filing	Status (Patented/Pending/Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 25225

all of **Morrison & Foerster LLP**, 3811 Valley Centre Drive, Suite 500, San Diego, California 92130, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Kate H. Murashige, whose address is:

**Morrison & Foerster LLP**  
3811 Valley Centre Drive, Suite 500  
San Diego, California 92130

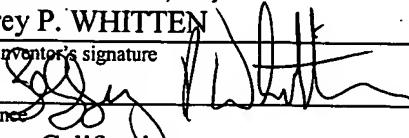
Please direct telephone calls to: Emily C. Tongco at (858) 314-5413.

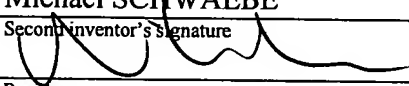
Please direct facsimiles to: (858) 720-5125

Full name of third inventor, if any <b>Jeffrey P. WHITTEN</b>	
Third inventor's signature	Date
Residence <b>Santee, California</b>	
Citizenship <b>US</b>	
Mailing Address  <b>9957 Jill Street Santee, California 92071</b>	

Full name of second inventor, if any <b>Michael SCHWAEBE</b>	
Second inventor's signature	Date
Residence <b>San Diego, California</b>	
Citizenship <b>US</b>	
Mailing Address  <b>13933 Kerry Lane San Diego, California 92130</b>	

Full name of sole or first inventor <b>Terrance MORAN</b>	
Sole or first inventor's signature <i>Terrance Moran</i>	Date <b>7-17-04</b>
Residence <b>San Diego, California</b>	
Citizenship <b>US</b>	
Mailing Address  <b>11947 Dapple Way San Diego, California 92128</b>	

Full name of third inventor, if any <b>Jeffrey P. WHITTEN</b>	
Third inventor's signature 	Date <b>July 15 - 2004</b>
Residence <b>Santee, California</b>	
Citizenship <b>US</b>	
Mailing Address  <b>9957 Jill Street Santee, California 92071.</b>	

Full name of second inventor, if any <b>Michael SCHWAEBE</b>	
Second inventor's signature 	Date <b>7/19/04</b>
Residence <b>San Diego, California</b>	
Citizenship <b>US</b>	
Mailing Address  <b>13933 Kerry Lane San Diego, California 92130</b>	

Full name of sole or first inventor <b>Terrance MORAN</b>	
Sole or first inventor's signature	Date
Residence <b>San Diego, California</b>	
Citizenship <b>US</b>	
Mailing Address  <b>11947 Dapple Way San Diego, California 92128</b>	

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT



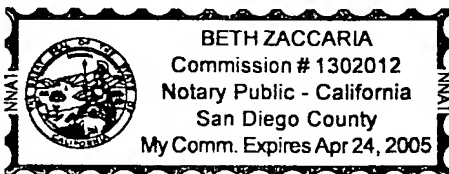
State of California

County of San Diego

On July 16, 2004 before me, Beth Zaccaria, Notary Public

personally appeared Jeffrey Paul Whitten

☐ personally known to me – **OR** – ☒ proved to me on the basis of satisfactory evidence to be the person ☒ whose name ☒ is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity ☒ (ies), and that by his/her/their signature ☒ (s) on the instrument the person ☒ or the entity upon behalf of which the person ☒ acted, executed the instrument.



WITNESS my hand and official seal.

Beth Zaccaria  
Signature of Notary Public

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: Declaration for 53223-20012.08

Document Date: 7/16/04 Number of Pages: 4

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer  
Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer  
Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

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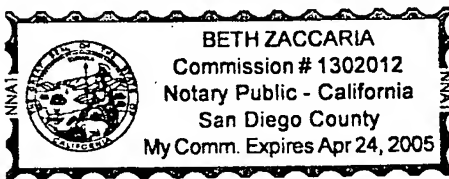
State of California

County of San Diego

On July 19, 2004 before me, Beth Zaccaria, Notary Public

personally appeared Michael Kenric Schwabe

☐ personally known to me – OR – ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

[Signature]  
Signature of Notary Public

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☐ Corporate Officer  
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☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
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☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here